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PTO/SB/01 (10-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION
AND
POWER OF ATTORNEY
FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	DEP754NP
First Named Inventor	DANIEL D. AUGER
COMPLETE IF KNOWN	
Application Number	10/609,171
Filing Date	06/27/2003
Group Art Unit	3732
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

KIT, GUIDE & METHOD FOR LOCATING DISTAL FEMUR RESECTION PLANE
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **06/27/2003** as United States Application Number or PCT International Application Number **10/609,171** and was amended on (MM/DD/YYYY) ☐

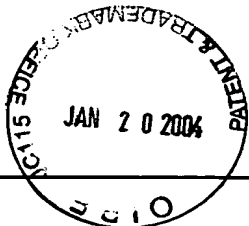
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:



DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
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Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** —

Place Customer
Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Stephen Manich at telephone number (574) 372-7796.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

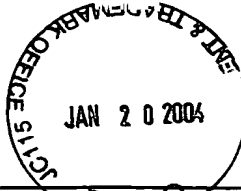
State:

ZIP

Country

Telephone:

Fax:



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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) DANIEL D.

Family Name
or Surname AUGER

Inventor's
Signature

Daniel D. Auger

Date 16 Jan 2004.

Residence: City FORT WAYNE

State IN

Country US

Citizenship CANADIAN

Mailing Address 6409 POST ROAD

City FORT WAYNE

State IN

ZIP 46814

Country US

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NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) MARY J.

Family Name
or Surname STEWART

Inventor's
Signature

Date

Residence: City LEEDS

State

Country ENGLAND

Citizenship BRITISH

Mailing Address 10 MOOR GRANGE VIEW, WEST PARK

City LEEDS

State

ZIP LS16 5BN

Country ENGLAND

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NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) GARY S.

Family Name
or Surname FENTON

Inventor's
Signature

Date

Residence: City HUDDERSFIELD

State

Country ENGLAND

Citizenship BRITISH

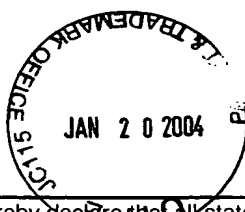
Mailing Address 66-68 BROOMFIELD ROAD

City HUDDERSFIELD

State


ZIP HD2 2HG

Country ENGLAND



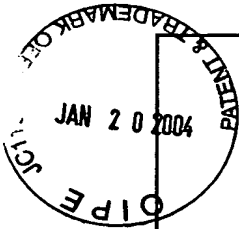
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NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) STEVEN G.		Family Name or Surname INGLESON-MACE	
Inventor's Signature		Date	
Residence: City KENT	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 21 BURNT ASH LANE, BROMLEY			
City BROMLEY, KENT	State	ZIP BR1 4DJ	Country ENGLAND
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NAME OF FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) DAVID P.		Family Name or Surname THOMAS	
Inventor's Signature		Date	
Residence: City WEST YORKSHIRE	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 36 KINGSLEY AVENUE, SANDAL			
City WEST YORKSHIRE	State	ZIP WF2 7EA	Country ENGLAND
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NAME OF SIXTH INVENTOR:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) FREDERIC		Family Name or Surname TURQUIER	
Inventor's Signature		Date	
Residence: City YORK	State	Country ENGLAND	Citizenship FRENCH
Mailing Address 10 CROSSWAYS, BADGER HILL			
City YORK	State	ZIP Y010 5JQ	Country ENGLAND

JAN 20 2004

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY JOINT INVENTOR ON BEHALF OF NON-SIGNING INVENTOR WHO REFUSES TO SIGN OR CANNOT BE REACHED			
1. I am an above-named joint inventor and have signed this application on my own behalf and also sign this Declaration under 37 CFR 1.47(a) on behalf of Frederic Turquier.			
2. Accompanying this Declaration is a Statement of Simon Wilson. Based on Mr. Wilson's Statement, it is my understanding and belief that Frederic Turquier has refused to sign the Declaration.			
3. Based on the Declaration of Simon Wilson, I understand and believe that Frederic Turquier's last known address is: Frederic Turquier 10 Crossways Badger Hill York YO10 5JQ			
4. It is my understanding and belief that Frederic Turquier is a French citizen.			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
Given Name (first and middle [if any]) DANIEL D.		Family Name or Surname AUGER	
Signature 		Date 14 Jan / 04.	
Residence: City FORT WAYNE	State IN	Country US	Citizenship CANADIAN
Mailing Address 6409 POST ROAD			
City FORT WAYNE	State IN	ZIP 46814	Country US

Please type a plus sign (+) inside this box ☐

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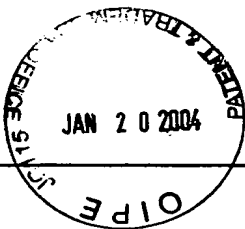
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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

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Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** —

Place Customer
Number Bar Code
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AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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Name:

Address:

Address:

City:

State:

ZIP

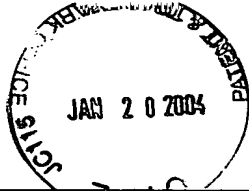
Country

Telephone:

Fax:

RECEIVED
JAN 20 2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) DANIEL D.		Family Name or Surname AUGER	
Inventor's Signature		Date	
Residence: City FORT WAYNE	State IN	Country US	Citizenship CANADIAN
Mailing Address 6409 POST ROAD			
City FORT WAYNE	State IN	ZIP 46814	Country US
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NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) MARY J.		Family Name or Surname STEWART	
Inventor's Signature <i>M. J. Stewart</i>		Date 21/007/03	
Residence: City LEEDS	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 10 MOOR GRANGE VIEW, WEST PARK			
City LEEDS	State	ZIP LS16 5BN	Country ENGLAND
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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) GARY S.		Family Name or Surname FENTON	
Inventor's Signature		Date	
Residence: City HUDDERSFIELD	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 66-68 BROOMFIELD ROAD			
City HUDDERSFIELD	State	ZIP HD2 2HG	Country ENGLAND



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NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) STEVEN G.

Family Name
or Surname INGLESON-MACE

Inventor's
Signature

Date

Residence: City KENT

State

Country ENGLAND

Citizenship B BRITISH

Mailing Address 21 BURNT ASH LANE, BROMLEY

City BROMLEY, KENT

State

ZIP BR1 4DJ

Country ENGLAND

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NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) DAVID P.

Family Name
or Surname THOMAS

Inventor's
Signature

Date

Residence: City WEST YORKSHIRE

State

Country ENGLAND

Citizenship B BRITISH

Mailing Address 36 KINGSLEY AVENUE, SANDAL

City WEST YORKSHIRE

State

ZIP WF2 7EA

Country ENGLAND

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NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) FREDERIC

Family Name
or Surname TURQUIER

Inventor's
Signature

Date

Residence: City YORK

State

Country ENGLAND

Citizenship F RENCH

Mailing Address 10 CROSSWAYS, BADGER HILL

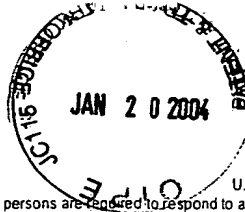
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ZIP YO10 5JQ

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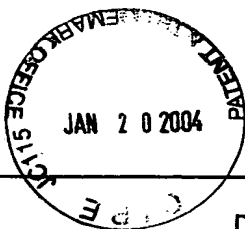
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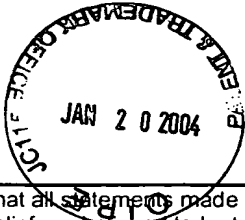
State:

ZIP

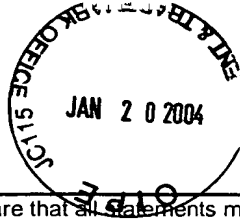
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Given Name (first and middle [if any]) DANIEL D.		Family Name or Surname AUGER	
Inventor's Signature		Date	
Residence: City FORT WAYNE	State IN	Country US	Citizenship CANADIAN
Mailing Address 6409 POST ROAD			
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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) GARY S.		Family Name or Surname FENTON	
Inventor's Signature <i>Gary Fenton</i>		Date 21 ST OCT 03	
Residence: City HUDDERSFIELD	State	Country ENGLAND	Citizenship B BRITISH
Mailing Address 66-68 BROOMFIELD ROAD			
City HUDDERSFIELD	State	ZIP HD2 2HG	Country ENGLAND



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) STEVEN G.

Family Name
or Surname INGLESON-MACE

Inventor's
Signature

Date

Residence: City KENT

State

Country ENGLAND

Citizenship B BRITISH

Mailing Address 21 BURNT ASH LANE, BROMLEY

City BROMLEY, KENT

State

ZIP BR1 4DJ

Country ENGLAND

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NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) DAVID P.

Family Name
or Surname THOMAS

Inventor's
Signature

Date

Residence: City WEST YORKSHIRE

State

Country ENGLAND

Citizenship B BRITISH

Mailing Address 36 KINGSLEY AVENUE, SANDAL

City WEST YORKSHIRE

State

ZIP WF2 7EA

Country ENGLAND

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NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) FREDERIC

Family Name
or Surname TURQUIER

Inventor's
Signature

Date

Residence: City YORK

State

Country ENGLAND

Citizenship F RENCH

Mailing Address 10 CROSSWAYS, BADGER HILL

City YORK

State

ZIP Y010 5JQ

Country ENGLAND



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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	DEP754NP	
<input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)		First Named Inventor	DANIEL D. AUGER	
		COMPLETE IF KNOWN		
		Application Number	10/609,171	
		Filing Date	06/27/2003	
		Group Art Unit		
		Examiner Name		
As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: <div style="text-align: center;">KIT, GUIDE & METHOD FOR LOCATING DISTAL FEMUR RESECTION PLANE (Title of the Invention)</div> the specification of which <input type="checkbox"/> is attached hereto OR <input checked="" type="checkbox"/> was filed on (MM/DD/YYYY) <u>06/27/2003</u> as United States Application Number or PCT International Application Number <u>10/609,171</u> and was amended on (MM/DD/YYYY) <input type="text"/> I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.				
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:				



DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/392,717	June 28, 2002	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** —

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Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Stephen Manich at telephone number (574) 372-7796.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

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Address:

Address:

City:

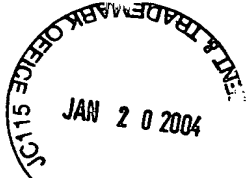
State:

ZIP

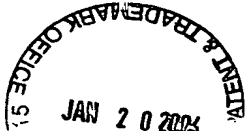
Country

Telephone:

Fax:



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NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) DANIEL D.		Family Name or Surname AUGER	
Inventor's Signature		Date	
Residence: City FORT WAYNE	State IN	Country US	Citizenship CANADIAN
Mailing Address 6409 POST ROAD			
City FORT WAYNE	State IN	ZIP 46814	Country US
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NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) MARY J.		Family Name or Surname STEWART	
Inventor's Signature		Date	
Residence: City LEEDS	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 10 MOOR GRANGE VIEW, WEST PARK			
City LEEDS	State	ZIP LS16 5BN	Country ENGLAND
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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) GARY S.		Family Name or Surname FENTON	
Inventor's Signature		Date	
Residence: City HUDDERSFIELD	State	Country ENGLAND	Citizenship BRITISH
Mailing Address 66-68 BROOMFIELD ROAD			
City HUDDERSFIELD	State	ZIP HD2 2HG	Country ENGLAND



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NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) STEVEN G.

Family Name
or Surname INGLESON-MACE

Inventor's
Signature

Date 22-10-2003

Residence: City KENT

State

Country ENGLAND

Citizenship B BRITISH

Mailing Address 21 BURNT ASH LANE, BROMLEY

City BROMLEY, KENT

State

ZIP BR1 4DJ

Country ENGLAND

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NAME OF FIFTH INVENTOR:

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Given Name
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Family Name
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Inventor's
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Residence: City WEST YORKSHIRE

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<p align="center">DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</p> <p><input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required) OR</p>	Attorney Docket Number	DEP754NP
	First Named Inventor	DANIEL D. AUGER
	<i>COMPLETE IF KNOWN</i>	
	Application Number	10/609,171
	Filing Date	06/27/2003
	Group Art Unit	
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

KIT, GUIDE & METHOD FOR LOCATING DISTAL FEMUR RESECTION PLANE
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 06/27/2003 as United States Application Number or PCT International Application Number 10/609,171 and was amended on (MM/DD/YYYY)

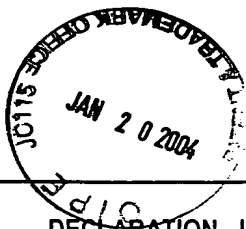
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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

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AND

☐ Practitioner(s) named below:
Name

Registration Number

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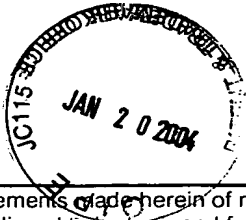
State:

ZIP

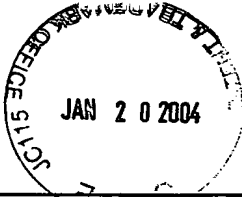
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Telephone:

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NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) DANIEL D.		Family Name or Surname AUGER	
Inventor's Signature		Date	
Residence: City FORT WAYNE	State IN	Country US	Citizenship CANADIAN
Mailing Address 6409 POST ROAD			
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NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) MARY J.		Family Name or Surname STEWART	
Inventor's Signature		Date	
Residence: City LEEDS	State	Country ENGLAND	Citizenship B BRITISH
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Given Name
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Inventor's
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Given Name
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Family Name
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Inventor's
Signature

Date 21 OCT 03

Residence: City WEST YORKSHIRE

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